

### **INTERVIEW SUMMARY**

1. On 11/9/2009 Ms. Perez, Applicant's Representative called and left a message inquiring about the reason for marking two references in the 9/15/2006 IDS as not being considered.

On 11/10/2009 E granted an interview to resolve the issue explained in the message.

During the interview, E explained that there was no translation or other explanation for the relevance the crossed references (JP 2001-189278 and JP 9-278562). AR noted that the crossed references were in the International Search Report, which the IDS alludes to but fails to list. E explained that the Reply to the outstanding Office Action may ask E to reconsider the crossed references in the 9/15/2006 IDS.

Independent of this IDS issue, E reviewed the prosecution history and noted that the claims still recite a product but attempt to exclude others from a scope described by functional language that fails to distinguish over the prior art. E therefore invited AR and Applicant to have an interview before submitting a Reply to the Outstanding Office Action to help advance prosecution of this application. E explained that he would consider a proposed amendment to the claims that includes an explanation of how the claims distinguish over the applied art, which amendment attempts to advance prosecution. And to help advance prosecution, E explained that he would note any issue immediately evident in the submitted proposed claims.

### **CONCLUSION**

2. Any inquiry concerning this communication or earlier communications from an Examiner should be directed to Examiner Hrayr A. Sayadian, at (571) 272-7779, on Monday through Friday, 7:30 am – 4:00 pm ET.

If attempts to reach Mr. Sayadian by telephone are unsuccessful, his supervisor, Supervisory Primary Examiner Wael Fahmy, can be reached at (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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/Hrayr A. Sayadian/

Patent Examiner, Art Unit 2814